

Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 106-78, title I, Oct. 22, 1999, 113 Stat. 1139.
 Pub. L. 105-277, div. A, § 101(a) [title I], Oct. 21, 1998, 112 Stat. 2681, 2681-4.
 Pub. L. 105-86, title I, Nov. 18, 1997, 111 Stat. 2083.
 Pub. L. 104-180, title I, Aug. 6, 1996, 110 Stat. 1573.
 Pub. L. 104-37, title I, Oct. 21, 1995, 109 Stat. 303.
 Pub. L. 103-330, title I, Sept. 30, 1994, 108 Stat. 2439.
 Pub. L. 103-111, title I, Oct. 21, 1993, 107 Stat. 1050.
 Pub. L. 102-341, title I, Aug. 14, 1992, 106 Stat. 877.
 Pub. L. 102-142, title I, Oct. 28, 1991, 105 Stat. 882.
 Pub. L. 101-506, title I, Nov. 5, 1990, 104 Stat. 1319.
 Pub. L. 101-161, title I, Nov. 21, 1989, 103 Stat. 955, 956.
 Pub. L. 100-460, title I, Oct. 1, 1988, 102 Stat. 2233.
 Pub. L. 100-202, § 101(k) [title I], Dec. 22, 1987, 101 Stat. 1329-322, 1329-327.
 Pub. L. 99-500, § 101(a) [title I], Oct. 18, 1986, 100 Stat. 1783, 1783-4, and Pub. L. 99-591, § 101(a) [title I], Oct. 30, 1986, 100 Stat. 3341, 3341-4.
 Pub. L. 99-190, § 101(a) [H.R. 3037, title I], Dec. 19, 1985, 99 Stat. 1185.
 Pub. L. 98-473, title I, § 101(a) [H.R. 5743, title I], Oct. 12, 1984, 98 Stat. 1837.
 Pub. L. 98-151, § 101(d) [H.R. 3223, title I], Nov. 14, 1983, 97 Stat. 972.
 Pub. L. 97-370, title I, Dec. 18, 1982, 96 Stat. 1789.
 Pub. L. 97-103, title I, Dec. 23, 1981, 95 Stat. 1469.
 Pub. L. 96-528, title I, Dec. 15, 1980, 94 Stat. 3097.
 Pub. L. 96-108, title I, Nov. 9, 1979, 93 Stat. 822.
 Pub. L. 95-448, title I, Oct. 11, 1978, 92 Stat. 1074.
 Pub. L. 95-97, title I, Aug. 12, 1977, 91 Stat. 811, 812.
 Pub. L. 94-351, title I, July 12, 1976, 90 Stat. 852.
 Pub. L. 94-122, title I, Oct. 21, 1975, 89 Stat. 642, 643.
 Pub. L. 93-563, title I, Dec. 31, 1974, 88 Stat. 1823.
 Pub. L. 93-135, title I, Oct. 24, 1973, 87 Stat. 470.
 Pub. L. 92-399, title I, Aug. 22, 1972, 86 Stat. 593.
 Pub. L. 92-73, title I, Aug. 10, 1971, 85 Stat. 184.
 Pub. L. 91-566, title I, Dec. 22, 1970, 84 Stat. 1480.
 Pub. L. 91-127, title I, Nov. 26, 1969, 83 Stat. 245.
 Pub. L. 90-463, title I, Aug. 8, 1968, 82 Stat. 639.
 Pub. L. 90-113, title I, Oct. 24, 1967, 81 Stat. 320.
 Pub. L. 89-556, title I, Sept. 7, 1966, 80 Stat. 689.
 Pub. L. 89-316, title I, Nov. 2, 1965, 79 Stat. 1165.
 Pub. L. 88-573, title I, Sept. 2, 1964, 78 Stat. 862.
 Pub. L. 88-250, title I, Dec. 30, 1963, 77 Stat. 820.
 Pub. L. 87-879, title I, Oct. 24, 1962, 76 Stat. 1203.
 Pub. L. 87-112, title I, July 26, 1961, 75 Stat. 226.
 Pub. L. 86-532, title I, June 29, 1960, 74 Stat. 232.
 Pub. L. 86-80, title I, July 8, 1959, 73 Stat. 167.
 Pub. L. 85-459, title I, June 13, 1958, 72 Stat. 188.
 Pub. L. 85-118, title I, Aug. 2, 1957, 71 Stat. 329.
 June 4, 1956, ch. 355, title I, 70 Stat. 229.
 May 23, 1955, ch. 43, title I, 69 Stat. 51.
 June 29, 1954, ch. 409, title I, 68 Stat. 304.
 July 28, 1953, ch. 251, title I, 67 Stat. 206.
 July 5, 1952, ch. 574, title I, 66 Stat. 336.
 Aug. 31, 1951, ch. 374, title I, 65 Stat. 226.
 Sept. 6, 1950, ch. 896, Ch. VI, title I, 64 Stat. 658.
 June 29, 1949, ch. 280, title I, 63 Stat. 329.
 June 19, 1948, ch. 543, 62 Stat. 513.
 July 30, 1947, ch. 356, title I, 61 Stat. 528.
 June 22, 1946, ch. 445, 60 Stat. 276.
 May 5, 1945, ch. 109, 59 Stat. 142.

§ 2255. Membership in International Wheat Advisory Committee, International Sugar Council, etc.

The Secretary of Agriculture is authorized to expend funds, available for agricultural conservation, adjustment, and land use programs, for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar Council, or like events

or bodies concerned with the objectives of said program, together with traveling and other necessary expenses relating thereto: *Provided*, That expenditures under this authority shall not be made unless provision is made therefor in the applicable appropriation and the cost thereof is not in excess of limitations prescribed therein.

(Sept. 21, 1944, ch. 412, title VII, § 701(a), 58 Stat. 741.)

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to sections 570 and 574 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, § 1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

§ 2255a. Financial assistance to national and international conferences

On and after October 21, 1993, appropriations available to the Department of Agriculture can be used to provide financial assistance to the organizers of national and international conferences, if such conferences are in support of agency programs.

(Pub. L. 103-111, title I, Oct. 21, 1993, 107 Stat. 1050.)

§ 2256. Inspections, analyses, and tests for other Government departments and agencies; reimbursement

The head of any department or independent establishment of the Government requiring inspections, analyses, and tests of food and other products, within the scope of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary, transfer to the Department for direct expenditure such sums as may be necessary for the performance of such work.

(Sept. 21, 1944, ch. 412, title VII, § 702(a), 58 Stat. 741.)

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 571 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 2257. Interchangeability of funds for miscellaneous expenses and general expenses

Not to exceed 7 per centum of the amounts appropriated for any fiscal year for the miscellaneous expenses of the work of any bureau, division, or office of the Department of Agriculture shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 7 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency.

(Sept. 21, 1944, ch. 412, title VII, § 702(b), 58 Stat. 741.)

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 572 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 2258. Purchase of newspapers

The Department of Agriculture is authorized to subscribe for such newspapers as may be necessary to carry out its authorized work: *Provided*, That purchases under this authority shall not be made unless provision is made therefor in the applicable appropriation and the cost thereof is not in excess of limitations prescribed therein.

(Sept. 21, 1944, ch. 412, title VII, § 704, 58 Stat. 742.)

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 573 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 2259. Market-inspection certificates as prima facie evidence

Market-inspection certificates issued by authorized agents of the Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

(Sept. 21, 1944, ch. 412, title IV, § 401(c), 58 Stat. 738.)

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 575 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 2260. Inspection or quarantine services involving overtime furnished upon a reimbursable basis

The Secretary of Agriculture is authorized to pay employees of the United States Department of Agriculture performing inspection or quarantine services relating to imports into and exports from the United States, for all overtime, night, or holiday work performed by them at any place where such inspection and quarantine services are performed, at such rates as he may determine, and to accept from persons for whom such work is performed reimbursement for any sums paid out by him for such work.

(Aug. 28, 1950, ch. 815, 64 Stat. 561.)

CODIFICATION

Section was formerly classified to section 576 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 2260a. Reimbursable agreements

(a) In general

The Secretary of Agriculture (referred to in this section as the “Secretary”) may enter into reimbursable fee agreements with persons for preclearance at locations outside the United States of plants, plant products, animals, and articles for movement into the United States.

(b) Overtime, night, and holiday work

Notwithstanding any other provision of law, the Secretary may pay an employee of the Department of Agriculture performing services relating to imports into and exports from the United States for overtime, night, and holiday work performed by the employee at a rate of pay established by the Secretary.

(c) Reimbursement

(1) In general

The Secretary may require persons for whom preclearance services are performed to reimburse the Secretary for any amounts paid by the Secretary for performance of the services.

(2) Crediting of funds

All funds collected under paragraph (1) shall be credited to the account that incurs the costs and shall remain available until expended without fiscal year limitation.

(3) Late payment penalty

(A) In general

On failure of a person to reimburse the Secretary for the costs of performance of preclearance services—

- (i) the Secretary may assess a late payment penalty; and
- (ii) the overdue funds shall accrue interest in accordance with section 3717 of title 31.

(B) Crediting of funds

Any late payment penalty and any accrued interest collected under this paragraph shall be credited to the account that incurs the costs and shall remain available until expended without fiscal year limitation.

(Pub. L. 104-127, title IX, § 919, Apr. 4, 1996, 110 Stat. 1191.)

§ 2261. Credit of donations and proceeds from exhibitions to appropriations concerned with foreign market development programs

In the conduct of foreign market development programs, the Secretary of Agriculture is authorized to credit contributions from individuals, firms, associations, agencies, and other groups, and the proceeds received from space rentals, and sales of products and materials at exhibitions, to the appropriations charged with the cost of acquiring such space, products, and materials.

(Pub. L. 87-128, title II, § 203, Aug. 8, 1961, 75 Stat. 307.)

CODIFICATION

Section was formerly classified to section 577 of Title 5 prior to the general revision and enactment of Title